

**IBM Corporation**

Intellectual Property Law Dept.  
 P.O. Box 218  
 Yorktown Heights, NY 10598  
 FAX: T/L 602-3281  
 or (914) 945-3281

*Re-Fax***FACSIMILE** 10/085455

September 16, 2002 ✓  
**DATE:** August 5, 2002 **NO. OF PAGES TO FOLLOW:** 10 ✓  
 11

**TO:** Saundra Ballenger  
**NAME:** Marian Day  
**ADDRESS:** US Patent Office

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**PHONE NO.** 703 305-2868 **SEP 20 2002**

**FAX NO.** 703 746-6597 **Technology Center 2100**

**FROM:** Douglas W. Cameron - Reg. No. 31,596  
**NAME:**

**PHONE NO.** (914) 945-3244

**LOCATION:** IBM Corporation - Intellectual Property Law Dept.  
 39-254  
 PO Box 218  
**CONTACT #:** Yorktown Hgts., NY 10598

*Lucille (914) 945-3265 ✓*

**CLASSIFICATION:** Ref.: Serial No. 10/085,455 - Our Docket No. JP920000420US1

IBM CONFIDENTIAL  
 PERSONAL

IBM INTERNAL USE ONLY  
 UNCLASSIFIED

**MESSAGE:** As requested, enclosed are copies of the 2 declarations and  
 2 assignments to IBM signed by the inventors.

Very truly yours,

*Douglas A. Cameron*

Douglas W. Cameron

Reg. No. 31,596

THIS MESSAGE IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED,  
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*2 Declarations & 2 Assignments  
 L. Tongen (914) 945-3265*



SEPTEMBER 06, 2002

PTAS

Under Secretary of Commerce For Intellectual Property and  
Director of the United States Patent and Trademark Office  
Washington, DC 20231  
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IBM CORPORATION  
INTELLECTUAL PROPERTY LAW  
DOUGLAS W. CAMERON  
P.O. BOX 218  
YORKTOWN HEIGHTS, NY 10598



\*102150031A\*

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF NON-RECORDATION OF DOCUMENT

DOCUMENT ID NO.: 102150031

*DUE 10/6/02*

THE ENCLOSED DOCUMENT HAS BEEN EXAMINED AND FOUND NON-RECORDABLE BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. THE REASON(S) FOR NON-RECORDATION ARE STATED BELOW. DOCUMENTS BEING RESUBMITTED FOR RECORDATION MUST BE ACCCOMPANIED BY A NEW COVER SHEET REFLECTING THE CORRECT INFORMATION TO BE RECORDED AND THE DOCUMENT ID NUMBER REFERENCED ABOVE.

THE ORIGINAL DATE OF FILING OF THIS ASSIGNMENT DOCUMENT WILL BE MAINTAINED IF RESUBMITTED WITH THE APPROPRIATE CORRECTION(S) WITHIN 30 DAYS FROM THE DATE OF THIS NOTICE AS OUTLINED UNDER 37 CFR 3.51. THE RESUBMITTED DOCUMENT MUST INCLUDE A STAMP WITH THE OFFICIAL DATE OF RECEIPT UNDER 37 CFR 3. APPLICANTS MAY USE THE CERTIFIED PROCEDURES UNDER 37 CFR 1.8 OR 1.10 FOR RESUBMISSION OF THE RETURNED PAPERS, IF THEY DESIRE TO HAVE THE BENEFIT OF THE DATE OF DEPOSIT IN THE UNITED STATES POSTAL SERVICE.

SEND DOCUMENTS TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231. IF YOU HAVE ANY QUESTIONS REGARDING THIS NOTICE, YOU MAY CONTACT THE INDIVIDUAL WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723.

1. EACH CONVEYING PARTY LISTED ON COVERSHEET MUST SIGN AND DATE ASSIGNMENT DOCUMENT.

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SEP 20 2002

Technology Center 2100

SAUNDRA BALLENGER, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

IBM  
Technology Center  
LAW DEPARTMENT  
2002 SEP 16 AM 9:22

SUPPLEMENT RESPONSE TO FILE MISSING PARTS  
Copy of Notice to File Missing Parts  
Original Copy of Declaration and Assignment Signed  
By John C. Whaley  
Copies of Documents and Affidavit Previously Submitted

PLEASE STAMP & RETURN TO US

In re application of: M. Kawahito et al.

For: PROGRAM OPTIMIZATION METHOD AND COMPILER USING THE  
PROGRAM OPTIMIZATION, Docket No. JP920000420US Atty.: DWC  
Serial 10/085,455

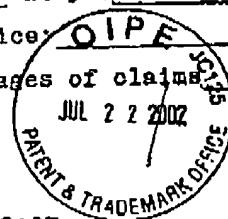
Received in the U.S. Patent & Trademark Office: OIPS

No. of pages of specification: \_\_\_\_\_ No. of pages of claims: \_\_\_\_\_

No. of sheets of drawings: \_\_\_\_\_

Declaration is attached to specification.

All fees are charged to our Account No. 09-0468



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SEP 20 2002

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: § July 17, 2002  
**M. KAWAHITO ET AL.** § Docket No. JP920000420US1  
Serial No.: 10/085,455 §  
Filed: February 27, 2002 § Art Unit: 2122  
For: **PROGRAM OPTIMIZATION** §  
    **METHOD AND COMPILER USING** §  
    **THE PROGRAM OPTIMIZATION** §  
    **METHOD** §

Honorable Assistant Commissioner for Patents  
Washington, DC 20231

**RESPONSE TO NOTICE TO FILE MISSING PARTS**  
**OF APPLICATION - FILING DATE GRANTED**

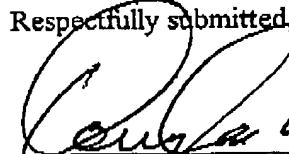
Sir:

Further to our response to the Notice to File Missing Parts of Application - Filing Date Granted, dated April 1, 2002, enclosed is the Assignment and Declaration which were just received from John C. Whaley. This is in addition to the original Declaration and Power of Attorney in compliance with 37 C.F.R. § 1.63 along with a copy of the Notice to File Missing Parts of Application - Filing Date Granted, mailed to you on June 26, 2002, copy enclosed.

Please charge any required fees to Deposit Account No. 09-0468.

If there are any issues remaining, the Examiner is respectfully requested to contact the undersigned attorney at the telephone number indicated below.

Respectfully submitted,



Douglas W. Cameron  
Registration No. 31,596  
Attorney for Applicants  
(914) 945-3244

IBM Corporation  
P. O. Box 218  
Yorktown Heights, NY 10598

Response to Notice to File Missing Parts - File Date Granted  
Copy of Notice to File Missing Parts  
Declaration Under 37 CFR Section 1.47  
15 Copies of Supporting Document and E-Mail Notes to:  
Declaration & Assignment & Transmittal John C. Whaley  
One Month Extension of Time  
PLEASE STAMP & RETURN TO US

In re application of: M. Kawahito et al.  
~~PROGRAM OPTIMIZATION METHOD AND COMPILER USING THE~~  
For: PROGRAM OPTIMIZATION METHOD  
Serial No.: 10/085,455 Docket No.: JP920000420US1 Atty.: DWC  
Received in the U.S. Patent & Trademark Office: \_\_\_\_\_  
No. of pages of specification \_\_\_\_\_ : No. of pages of claims \_\_\_\_\_  
No. of sheets of drawings: \_\_\_\_\_  
Declaration is attached to specification.

All fees are charged to our Account No. 09-0468

Response to Notice to File Missing Parts - File Date Granted  
Copy of Notice to File Missing Parts  
Declaration Under 37 CFR Section 1.47  
15 Copies of Supporting Document and E-Mail Notes to:  
Declaration & Assignment & Transmittal John C. Whaley  
One Month Extension of Time  
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In re application of: M. Kawahito et al.  
~~PROGRAM OPTIMIZATION METHOD AND COMPILER USING THE~~  
For: PROGRAM OPTIMIZATION METHOD  
Serial No.: 10/085,455 Docket No.: JP920000420US1 Atty.: DWC  
Received in the U.S. Patent & Trademark Office: \_\_\_\_\_  
No. of pages of specification \_\_\_\_\_ : No. of pages of claims \_\_\_\_\_  
No. of sheets of drawings: \_\_\_\_\_  
Declaration is attached to specification.

All fees are charged to our Account No. 09-0468

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: §  
**M. KAWAHITO ET AL.** § Docket No. JP920000420US1  
Serial No.: 10/085,455 §  
Filed: February 27, 2002 § Art Unit: 2122  
For: **PROGRAM OPTIMIZATION** §  
**METHOD AND COMPILER USING** §  
**THE PROGRAM OPTIMIZATION** §  
**METHOD** §

Honorable Assistant Commissioner for Patents  
Washington, DC 20231

**RESPONSE TO NOTICE TO FILE MISSING PARTS  
OF APPLICATION - FILING DATE GRANTED**

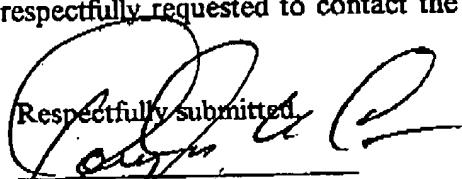
Sir:

In response to the Notice to File Missing Parts of Application - Filing Date Granted, dated April 1, 2002, Applicants enclose herewith an executed original Declaration and Power of Attorney in compliance with 37 C.F.R. § 1.63 along with a copy of the Notice to File Missing Parts of Application - Filing Date Granted. Also included is a Declaration of Lucille Fourgeot, an employee of the IBM Corporation, which is the assignee of the instant application. The Declaration, which was made pursuant to 37 C.F.R. § 1.47(a), states that John C. Whaley would not sign the original Declaration after several attempts to get him to do so. Evidence supporting the statements in the Declaration is also enclosed.

A Petition for an Extension of Time pursuant to 37 CFR § 1.136 (a) is enclosed.

Please charge any required fees to Deposit Account No. 09-0468.

If there are any issues remaining, the Examiner is respectfully requested to contact the undersigned attorney at the telephone number indicated below.



Respectfully submitted,  
Douglas W. Cameron  
Registration No. 31,596  
Attorney for Applicants  
(914) 945-3244

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